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APR 15 2005

OFFICE OF PETITIONS

In re Application of :
Masaki Okada :
Application No. 09/283,285 :
Filed: April 1, 1999 : ON PETITION
Title of Invention: :
RECORDING APPARATUS AND REPRODUCTION :
APPARATUS :

This is a decision on the Petition Under 37 CFR 1.182 and Amendment, filed August 10, 2004, requesting entry of an amendment to the specification to insert a reference to an earlier filed application (namely, Application No. 08/320,833) pursuant to the provisions of 35 U.S.C. § 120.

The petition is granted.

The file record discloses that this application was co-pending with earlier-filed Application No. 08/320,833. The earlier-filed application, No. 08/320,833, is a continuation of application No. 07/935,908. This application became abandoned before a specific reference to earlier-filed application No. 07/935,908, was made in this application. Petitioner requests that this abandoned application be amended by inserting a reference to the above-noted, earlier-filed application.

The instant petition is accompanied by an amendment to include a reference to the prior-filed application in the first line of the specification following the title of the invention.

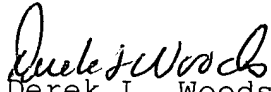
35 U.S.C. § 120 permits entry of a subsequent amendment to an abandoned application in applications filed prior to November 29, 2000 to include the benefit of an earlier filing date for purposes other than prosecution. See *Sampson v. Commissioner*, 195 USPQ 136 (D.D.C. 1976).

In view thereof, the request for entry of an amendment to insert a reference to the above-noted, earlier-filed application is granted.

A corrected filing receipt which includes the reference to the prior-filed application Application, No. 07/935,908, accompanies this Decision.

The file is being referred to Publishing Division for processing into a patent.

Telephone inquiries should be directed to the undersigned at (571) 272-3232.

A handwritten signature in cursive script, appearing to read "Derek L. Woods".

Derek L. Woods
Petitions Attorney
Office of Petitions